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Via First Class Mail and Electronically Filed

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Deondray King
S2 07 Cr. 756 (RJS)

Dear Judge Sullivan:

As set forth below, this motion is made pursuant to the Speedy Trial Act of 1974, 18 U.S.C. §§3161-3174 and the United States Constitution seeking dismissal of the above indictment with prejudice. In failing to prosecute this case, the protections afforded to Deondray King by the Sixth Amendment of the United States Constitution have been violated.

Mr. King hereby reserves the right to make additional pre-trial motions with regard to subsequent discovery disclosures. While numerous Title III interceptions were obtained during the investigation of this case, a review of the discovery provided to date indicates that Mr. King does not have legal standing to object to the constitutionality of the wiretaps. Moreover, while the government has advised counsel that it is seeking to admit evidence obtained pursuant to a search warrant, as of this writing, that documentation has not been disclosed. A review of the complaint indicates that an identification of Mr. King was made, however the particulars surrounding the procedure have not been provided. Finally, the government advises that it is not in possession of any statements made to the authorities by Mr. King. Should the case proceed to trial, counsel anticipates making further motions on Mr. King's behalf.